

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS H. SPITTERS,
Plaintiff,

v.

UNKNOWN,
Defendant.

Case No. 15-cv-04902-PJH

**ORDER DENYING REQUEST FOR
CONTINUANCE AND DISMISSING
COMPLAINT**

Re: Dkt. No. 37

The court has received a letter from plaintiff Thomas H. Spitters ("plaintiff") dated June 5, 2016. Dkt. 37. In the letter, the plaintiff again asks the court to continue the case and re-consider the June 16 deadline for service of the complaint on defendants. The court DENIES plaintiff's request for a further continuance.

Under Federal Rule of Civil Procedure 4(m), the plaintiff was required to serve the complaint upon defendants by February 23, 2016. The court granted a significant extension of that deadline, and has repeatedly made the plaintiff aware of this deadline. See Dkt. 31, 34, 36. Plaintiff has not complied, and his letter to the court indicates that he is unable to do so. Accordingly, the complaint is DISMISSED, without prejudice, for failure to effectuate service. See Fed. R. Civ. Pro. 4(m).

IT IS SO ORDERED.

Dated: June 20, 2016



PHYLLIS J. HAMILTON
United States District Judge